

### **Remarks/Arguments**

Claims 1-9 and 11-19 are now pending in this application. Claims 1-9, 11-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Flanagan* (U.S. Patent No. 6,560,660) in view of *Graf* (U.S. Patent No. 6,317,798). Claims 9 and 19 have been amended solely to comply with claim objections, and thus, should be entered in accordance with MPEP 714.12.

For the reasons set forth below, the applicant respectfully requests reconsideration and immediate allowance of this application.

#### **Claim Objections**

The May 7, 2007 final office action objected to claims 9 and 19 for minor informalities. Claims 9 and 19 have been amended to correct these informalities. Because claims 9 and 19 have been amended solely to comply with claim objections, the amendments to claims 9 and 19 should be entered in accordance with MPEP 714.12.

#### **Claim Rejections Under 35 U.S.C. §112**

The May 7, 2007 final office action rejected claims 3-8, and 13-18 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The rejection is respectfully traversed.

The final office action requests, in particular, support for the recitation “transmitting data on the communications port for reception by the device” in claim 3 and the recitation “transmitting data on the communications port for reception by a device connected to the communications port” in claim 13. Support for these recitations may be found in the instant specification at least at p. 11, lines 9-12, which recite the following:

At operation 310, data is transmitted over the enabled communications port. In particular according to one embodiment of the invention, the data terminal ready (“DTR”) line is toggled in the modem control register.

As indicated above, the BIOS 214 transmits data over the enabled communications port to a device. In one embodiment, the data transmitted to the device toggles the DTR line in the modem control register.

In light of the above, withdrawal of the claim rejections under §112, first paragraph is respectfully requested.

Claim Rejections Under 35 U.S.C. §103(a)

The May 7, 2007 final office action rejected claims 1-9, 11-19 under 35 U.S.C. §103(a) as being unpatentable over *Flanagin* in view of *Graf*. The applicant respectfully submits that the cited references do not, individually or combined, teach each and every recitation of amended independent claim 1.

Claims 1 and 11

Claims 1 and 11 recite, *inter alia*, “determining whether a communications port has been enabled for utilization with a BIOS-provided console redirection feature.” *Flanagin* teaches that the operating system “accepts requests for use of serial port 38 and grants exclusive use of the serial port to the first requesting application program. (*Flanagin* at col. 3, lines 26-30). *Flanagin* teaches that these application programs “are loaded into the memory 30 and run on the operating system 50.” (*Flanagin* at col. 3, lines 35-36). Whether the operating system grants exclusive use of the serial port to operating system-dependent application programs is entirely irrelevant to the claimed “BIOS-provided console redirection feature” because the BIOS and operating system are separate and distinct features of a computer system. For example, Figure 2 of the instant application separately illustrates the operating system 216 stored in the mass storage device 218 and the BIOS 214 stored in the EEPROM 208.

Because *Flanagin* only teaches the operation of operating system-dependent application programs with respect to using the serial port, it follows that *Flanagin* does not teach or suggest “determining whether a communications port has been enabled for utilization with a BIOS-provided console redirection feature,” as recited in claims 1 and 11. The citation to *Graf* is not applicable to *Flanagin* because *Graf* teaches a BIOS console redirection. Even *Graf* differentiates the BIOS from the operating system: “The BIOS is responsible for booting the computer by providing a basic set of instructions. It performs all of the tasks that need to be done at start-up time, such as Power-On Self Test (POST), and booting an operating system from a floppy disk drive (FDD) or a hard disk drive (HDD).” (*Graf* at col. 1, lines 34-38). As such, *Graf* teaches away from the BIOS console redirection being an operating system dependent application program as contended by the final office action.

Regarding claim 11, neither *Flanagin* nor *Graf*, individually or in combination, teaches or suggests “determining whether a non-UART device is connected to the communications port” or “in response to determining that a non-UART device is connected to the communications port, disabling the BIOS-provided console redirection feature.”

Accordingly, *Flanagin* and *Graf*, individually or in combination, do not teach, suggest, or describe each and every element of amended independent claims 1 and 11. The applicant further submit that claims 2-9 and 12-19 are also patentable because they contain recitations not taught by *Flanagin* and *Graf* because these claims depend from an allowable independent claim. The applicant therefore submits that claims 1-9 and 11-19 are in condition for immediate allowance.

### Claim 3

Claim 3 recites, *inter alia*, “determining whether a receive buffer of the communications port contains data following the transmission of the data on the communications port” and “determining that the device a connected to the communications port is incompatible with console redirection in response to determining that the receive buffer contains data following the transmission of the data on the communications port.” The final office action simply states, without any citation to either *Flanagin* or *Graf*, that “it was known in the art at the time the invention made...to read a line status register (at address 3FD/2FD on standard IBM-compatible computers) to determine that the receive buffer of the communications port contains data....” (Final office action at p. 5-6). After reviewing carefully *Flanagin* and *Graf*, the applicant finds no teaching in the cited art, individually or in combination, teaching or suggesting “determining whether a receive buffer of the communications port contains data following the transmission of the data on the communications port” and “determining that the device a connected to the communications port is incompatible with console redirection in response to determining that the receive buffer contains data following the transmission of the data on the communications port,” as recited in claim 3.

Accordingly, *Flanagin* and *Graf*, individually or in combination, do not teach, suggest, or describe each and every element of dependent claim 3. The applicant therefore submits that claim 3 is in condition for immediate allowance.

Claim 4 and 14

Claims 4 and 14 recite, *inter alia*, “wherein the BIOS-provided console redirection feature is implemented by a compressed redirection module and wherein disabling the BIOS-provided console redirection feature comprises not uncompressing or executing the redirection module.” The final office action simply states, without any citation to either *Flanagin* or *Graf*, that “it was known in the art at the time the invention was made to store an application program in a compressed format due to memory constraint and non uncompressing or executing an application program until the application program needs to be executed for power saving.” (Final office action at p. 6). After reviewing carefully *Flanagin* and *Graf*, the applicant finds no teaching in the cited art, individually or in combination, teaching or suggesting “wherein the BIOS-provided console redirection feature is implemented by a compressed redirection module and wherein disabling the BIOS-provided console redirection feature comprises not uncompressing or executing the redirection module,” as recited in claim 4.

Accordingly, *Flanagin and Graf*, individually or in combination, do not teach, suggest, or describe each and every element of dependent claims 4 and 14. The applicant therefore submits that these claims are in condition for immediate allowance.

Claim 5

Claim 5 recites, *inter alia*, “in response to determining that an incompatible device is not connected to the communications port, enabling the BIOS-provided console redirection feature.” The final office action notes that “*Flanagin* teaches enabling the first requesting application program in response to a compatible device being connected to the communications port [108, FIG. 3].” (Final office action at p. 6). It is unclear the relevance of the recited portion of *Flanagin* to claims 5 and 15 as it is not even remotely related to “in response to determining that an incompatible device is not connected to the communications port.” After reviewing carefully *Flanagin* and *Graf*, the applicant finds no teaching in the cited art, individually or in combination, teaching or suggesting “in response to determining that an incompatible device is not connected to the communications port, enabling the BIOS-provided console redirection feature,” as recited in claim 5.

Accordingly, *Flanagin and Graf*, individually or in combination, do not teach, suggest, or describe each and every element of dependent claim 5. The applicant therefore submits that claim 5 is in condition for immediate allowance.

### **Conclusion**

In view of the foregoing amendment and remarks, the applicant respectfully submits that all of the pending claims in the present application are in condition for allowance. Reconsideration and reexamination of the application and allowance of the claims at an early date is solicited. If the Examiner has any questions or comments concerning this matter, the Examiner is invited to contact the applicant's undersigned attorney at the number below.

Respectfully submitted,

HOPE BALDAUFF HARTMAN, LLC

/Steven Koon Hon Wong/

Date: July 9, 2007

"Steven" Koon Hon Wong  
Reg. No. 48,459

Hope Baldauff Hartman, LLC  
1720 Peachtree Street, N.W.  
Suite 1010  
Atlanta, Georgia 30309  
Telephone: 404.815.1900

**53377**

PATENT TRADEMARK OFFICE